

REMARKS

Reexamination and reconsideration of the application is respectfully requested.

In order to expedite prosecution of this application a terminal disclaimer over U.S. Patent No. 6,638,611 is enclosed.

With respect to claim 25 the term percentage point has been clarified as related to the percent transparency.

Again, the undersigned would emphasize the following distinctions over Kondo. With respect to the product claims, there are numerous critical aspects of the coating provided in the present invention which are not taught or suggested in the art.

The rejection over Kondo is inappropriate, particularly to the claim as presently clarified.

1) The additives mentioned on pages 6-7 are used to form the porous film.

“Other additives may also be added as necessary in addition to the thermoplastic resin and filler in the main starting material for production of the porous stretched plastic film. For example organic acids” (page 7 line 11 on.)

“The main starting material and optional additives are melted and combined to form a film producing a filler-containing plastic film” (page 7, lines 17-18).

The additives are not in a coating layer and would not be able to deliver any benefit to skin or hair as they are melt additives in the thermoplastic film.

The rejection also erroneously states that Kondo teaches one of these additives could be salicylic acid. Salicylic acid is nowhere mentioned by Kondo for any use.

2) The claims now clearly define two faces for the porous substrate. One face of the wipe is formed by the porous substrate. This is the porous substrate that would have the additives listed on pages 6-7, which mainly are fillers to form the pores and acids which act as nucleating agents for initiation of the pore formation.

The second face of the porous substrate is covered by a film forming polymer. This thin polymeric coating would cover the additives listed on pages 6-7 of Kondo if present within the porous substrate second face.

3) Again, the rejection fails to indicate how the method claims are taught in the references applied. The method claims require a coating solution of a specific viscosity ranges and percent solids which are indicated as critical to obtaining the physical structure claimed.

The claims require the film forming polymer form a coating is on a given face of the porous substrate where the coating does not penetrate through the porous substrate to the opposite face of the porous substrate. This is extremely important in that the porous substrate must remain porous on the opposite face in order to adequately function as an oil absorbing material as claimed but also making sure that the coating is firmly anchored onto the porous substrate such that does not readily delaminate. This is a problem not addressed in the prior art nor does the prior art provide a solution to this problem.

The Kondo reference clearly does not teach this limitation. Further, the coating needing to be applied in a specific viscosity range solution and a specific solidity for this limitation to be present would not inherently flow from the teachings Kondo.

4) Also, the additives to the film forming polymer of the claimed invention are additives that deliver a benefit to the skin or hair upon wiping. The specific melt additives taught in Kondo are for inclusion within the porous film per se, not to the coating and are taught not at pages 14-15 but rather pages 6-7. These are additives that are used to modify the characteristics of the porous film which is a polymeric material and these additives would provide no benefit to the skin or hair. These additives are intended to be locked with in the polymeric structure of the thermoplastic extruded porous film. None of these additives are additives which are even capable of providing benefit to skin or hair. They are things like pigments to change the color of the thermoplastic film or surface modifying agents which would affect the hydrophobicity or hydrophilicity of the film. There would be no reason to place any of these additives into the film forming polymers taught at pages 10 of Kondo and even if one were to do so, one still would not be providing an additive suitable for delivering a benefit to skin or hair.

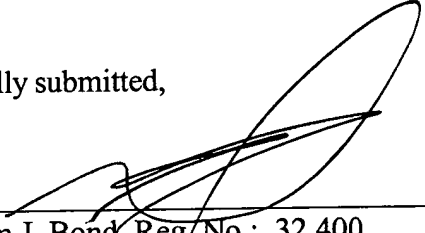
The issue of unexpected results is not relevant. The use of cosmetic-type additives in a film forming polymer layer locked into the porous substrate as claimed. As the combination of features is simply not taught or suggested by Kondo.

Applicants request a telephone interview with the Examiner and the Examiner's supervisor to determine what is necessary to further this case towards allowance.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Respectfully submitted,

May 11, 2005
Date

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